Thw

## CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal service with sufficient postage as First Class Mail in an Envelope addressed to: Mail Stop <u>Disclosure</u> Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on:

Date: Sept 13, 2006

Winsome A. St. Rose

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF:

Martin Dugas, et al.

SERIAL NO.: 10/575,708

PCT FILING DATE: NOVEMBER 4, 2004

FOR: Method For Distinguishing AML
Subtype inv(3)(q21q26)/t(3;3)(q21q26)
From Other AML subtypes

SUBSTITUTE: Unassigned
Confirmation No. N/A

DOCKET NO 2233 1-US

## INFORMATION DISCLOSURE STATEMENT

Mail Stop Disclosure. Commissioner for Patents P. O. Box 1450 Alexandria, VA 22313-1450

Sir:

Applicant submits herewith a Form-1449, in compliance with the duty of disclosure requirements of 37 C.F.R. §1.56, 1.97 and 1.98, listing accompanying documents that may be considered material to the examination of this application. This Information Disclosure Statement is being filed within three months of the U.S. filing date OR before the mailing date of a first Office Action on the merits, whichever event occurs last. No certification or fee is therefore required under 37 C.F.R. § 1.97(b). However, should the Commissioner determine that fees are due in order for the Information Disclosure Statement to be considered at this stage, the Commissioner is hereby authorized to charge any fee deficiency, or credit any overpayment, to Deposit Account No. 50-0812.

Applicants wish to provide the USPTO with an electronic copy of WO 03/039433A2, which is in excess of 2,900 pages.

This Information Disclosure Statement is not to be construed as a representation that: (i) a search has been made; (ii) additional information material to the examination of this application does not exist; (iii) the information, protocols, results and the like reported by third parties are accurate or enabling; or (iv) the above information constitutes prior art to the subject invention.

Consideration of the cited documents and making the same of record in the prosecution of the above-identified application is respectfully requested.

Respectfully submitted,

Date: 9/12/06

Robert W. Mann Reg. No. 48,555

Correspondence Address: Roche Molecular Systems, Inc 1145 Atlantic Avenue Alameda, CA 94501

Tele: (510) 814-2800 Fax: (510) 814-2973

U.S. Departme	U.S. Department of Commerce Patent and Trademark Office				Atty. Docket No. 22330-US   Serial No. 10/575,708						
	LIST OF INFORMATION CITED BY APPLICANT (Use seven streets in necessary)				Applicants: Martin Dugas, et al.						
S. C. C.	Store Barrell Rep			International Filing Date: November 4, 2004					Group: N/A		
SEP	7		U.S. PA	TENT:	DOCUMENTS						
* EXAMPLE INITIAL	VT & TRA	DOCUMENT NUMBER	ISSUE I	DATE	NAME	CLA	ASS	SUBCLASS		G DATE OPRIATE	
	1	5,210,015	05/11/93		Gelfand, et al	43	35	6	08/06/90		
	2	5,445,934	08/29/95		Fodor, et al	43	35	6	09/30/92		
	3	5,487,972	01/30/96		Gelfand, et al	43	35	6	01/05/93		
	4	5,700,637	12/23/97		E. Southern	. 43	35	6	04/19/94		
	5	5,744,305	04/28/98		Fodor, et al	43	35	6	06/06/95		
	6	5,804,375	09/08/98		Gelfand, et al	43	35	6	04/2	25/95	
	7	5,945,334	08/31/99		Besemer, et al	43	35	287.2	06/07/95		
	8	6,174,670 B1	01/16/01		Wittwer, et al	43	35	6	06/04/97		
	9	2003/0138793 A1	07/24/03		Su, et al	43	35	6	06/10/02		
					NT DOCUMENTS			Laves	I		
		DOCUMENT NUMBER	PUBLICA DAT		COUNTRY	CLA	.SS 	SUBCLASS	TRANS	LATION	
	10	0 373 203 B1	08/31/94		EP						
	11	0 619 321 B1	01/07/90		EP ·						
	12	1 043 676 A1	10/11/00		EP						
	13	1 109 020 A1	06/20/200	)1	EP						
	14	1 308 522	05/07/03		EP	•		1			
	15	WO 92/02638	02/20/92		PCT						
	16	WO 03/039443 A2	05/15/03		PCT ·			,			
	17	WO 03/083140 A2	10/09/03		PCT						
	18	WO 2005/045438 A3	05/19/05		PCT						
	. 19	EP2004/012461 Search Report	06/24/05	<del></del>	PCT			·			
	!		<u> </u>						<u> </u>		
	20	Alizadeh, A., et al., 1999, "	The Lympho	ochip: A	Title, Date, Pertin Specialized cDNA Mi	croarray	for th	ne Genomic-sca	le Analysi	s of	
		Alizadeh, A., et al., 1999, "The Lymphochip: A Specialized cDNA Microarray for the Genomic-scale Analysis of Gene Expression in Normal and Malignant Lymphocytes", Cold Springs Harbor Symposium on Quantitative Biology, Volume LXIV, Cold Springs Harbor Laboratory Press, pp 71-78									
	21	Brown, M., et al, 2000, "Knowledge-based analysis of microarray gene expression data by using support vector								tor .	
	22	machines, PNAS, 97(1):262-267  Deutsch, J., 2003, "Evolutionary algorithms for finding optimal gene sets in microarray prediction", Bioinformatics, 10(1):45-52								rmatics,	
	23	19( <u>1</u> ):45-52 Dugas, M., et al., 2001, "A									
		microarray data with clinic	ai informati	on, cyto	morphology and imm	unophe	notyp	nng", Leukemia,	15:1805-	1810	

Attorney Docket: 22330-US Serial No. 10/575,708 Page 2 of 2

	24	Dugas, M., et al., 2002, "Impact of Integrating Clinical and Genetic Information", <i>In Silico Biology</i> , 2:383-391  Furey, T., et al., 2000, "Support vector machine classification and validation of cancer tissue samples using					
	25	microarry expression data", Bioinformatics, 16(10):906-914					
	26	Golub, T., et al, 1999, "Molecular Classification of Cancer: Class Discovery and Class Prediction by Gene I Monitoring", <i>Science</i> , 286:531-537					
	27	Harlow, E., et al, 1988, "Antibodies A Laboratory Manual", Cold Spring Harbor Laboratory					
	28	Koehler, G., et al., 1975, "Continuous cultures of fused cells secreting antibody of predefined specificity", Nature 256:495-497					
	29	Kohlmann, A., et al., 2002, "Abstract: A Simplified and Partially Automated target Preparation Method for Gene Expression Profiling", <i>Blood</i> , 100, Abstract 4287					
	30	Kohlmann, A., et al., 2002, "Abstract:: A Gene Expression Study of 59 Acute Myeloid Leukemia (AML) Patients with recurrent Cytogenetic Abnormalities", <i>Blood</i> , 100, Abstract 1205					
	31	Kohlmann, A., et al., 2002, "Abstract: Gene Expression Profiles of t(11q23)/MLL Positive ALL and AML", Blood, 100(11): Abstract No. 308					
	32	Kohlmann, A., et al., 2003, "Molecular Characterization of Acute Leukemias by Use of Microarray Technology", Genes, Chromosomes & Cancer, 37:396-405					
	33	Liu, G., et al., 2003, "NetAffx: Affymetrix probesets and annotations", Nucleic Acids Research, 31(1):82-86					
f.	34	Sambrook, J., et al., 1989, "Molecular Cloning A Laboratory Manual Second Edition", Cold Spring harbor Laboratory Press,					
	35	Schnittger, S., et al., 2002, "Networks of Molecular Mutations in Acute Myeloid Leukemia and Their Correlations to cytogenetics and Morphology", <i>Blood</i> , 100, Abstract 735					
	36	choch, C., et al., 2001, "Abstract: Specific abnormalities on the genomic level result in a distinct gene expression pattern detected by oligonucleotide microarrays: An analysis of 25 patients with AML M2/t (8;21), AML M3/M3v/t (15;17), and AML M4eo/inv(16), Blood, 98: pp 92a – 93a					
	37	Schoch, C., et al., 2001, "AML with recurring chromosome abnormalities as defined in the new WHO-Classifications: Incidence of subtypes, additional genetic abnormalities, FAB subtype and age distribution in an unselected series of 1897 cytogenetically and moleculargenetically analyzed AML", Blood, 98(11 part 1):457a-458a Schoch, C., et al., 2002, "Acute myeloid leukemias with reciprocal rearrangements can be distinguished by specific gene expression profiles", PNAS, 99(15):10008-10013					
	38						
	39	Sood, R., et al., 1999, "Abstract: MDS1/EV11 enhances TGF-β1 signaling and strengthens its growth-inhibitory effect, but the leukemia-associated fusion protein in AML1/MDS1/EV11, product of the t(3;21), abrogates growth-inhibition in response to TGF-β1,", <i>Leukemia</i> , 13:348-357.					
	40	Storey, J., et al., 2003, "Statistical significance for genomewide studies," PNAS, 100(16):9440-9445					
	41	Wieser, R., et al., 2001, "Masked inv(3)(q21q26) in a patient with minimally differentiated acute myeloid leukemia", <i>Haematologica</i> , 86(2):214-215					
EXAMINER		DATE CONSIDERED					